IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 406 OF 2004

MR. ROSARIO F.CAEIRO AND ANR., ...Petitioners

Versus

MR. JEROME J.CAEIRO AND ANR., ...Respondents

Mr. Guru Shirodkar, advocate for the petitioners.
Mr. A. F. Diniz, advocate for the respondents.

Coram:- R. M. LODHA, J.

Date:- 25th August, 2005

P.C.

Heard Mr. Guru Shirodkar, learned advocate for the petitioner. I perused the amendment application as well as the order passed by the IInd Additional Civil Judge, Senior Division, Margao, dismissing the said application.

Inter alia, the trial Court held that the proposed amendment, if allowed would result in taking away certain admissions by the plaintiffs and that the proposed amendment already constituted the defence of the defendants in the suit. Having considered the amendment application and the relevant material, I find no justifiable reason to interfere with the impugned Order. The trial Court cannot be said to have committed an error of jurisdiction. No case for invoking the writ jurisdiction is made out.

Writ Petition is dismissed in limine.

R. M. LODHA, J.